

Vol 3

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# Supreme Court of the United States

October Term, 1940

No. 333

## Brief for Petitioners

— on —

### PETITION FOR WRIT OF CERTIORARI

CENTRAL CO., Defendant

J. W. KOHN, M. S. KOHN and J. W. KOHN,  
Administrator of the Estate of CARRIE KOHN,

*Petitioners*

vs

THE HONORABLE MAC SWINFORD,  
Judge of the United States District Court for the  
Eastern District of Kentucky, and the  
HONORABLE XEN HICKS, Presiding Judge of the  
Circuit Court of Appeals in and for the Sixth  
Circuit, and the respective Courts:

*Respondents*

*In the case of:*

J. W. KOHN, et al, vs J. W. MARTIN, et al.

Issues examined and Brief and Record presented by:  
GEORGE E. WHITMAN, Attorney appearing for  
undisclosed assignors, not parties and  
Central Distributing Co., Inc.

I respectfully move an allowance of this brief and  
record as a part of the action as above styled.

HARVEY H. SMITH,  
Attorney for Petitioners,  
Covington, Ky., and  
Cincinnati, Ohio.

(That portion of this brief which refers to the Exhibits present  
the important files of the United States Circuit Court of Appeals  
for the Sixth Circuit)—All quotations in substance.

# INDEX TO BRIEF—STATUTES and DECISIONS

## UNITED STATES

Statutes 237-8 and 240 a Judicial Code .....	2
Title 28, section 57 Judicial Code .....	3
Judicial Code 237-238-240 .....	3
Chapter 229, Section II .....	2
Title 28, section 780 USC (6 months clause) .....	2
Judicial Code 83-Section 15 Judicial Code 2 .....	7
28 USC 784—Art. I, section 8—777 USC. Tit. 28 (16) .....	12

## KENTUCKY STATUTES AND CODE

Ky. Code, section 299. Code of Ky. 76 .....	2
Sec. 39, Ky. Code. Section I, 358 and 479 Stat .....	5
Carroll's Code 76 .....	5
Carroll's Statutes, 145,156 .....	5
Carroll's Statutes, 470, 472, 2554, Code 39—St. 2524 .....	5
Carroll's St. 2554, Code 367—Sec. 39 Code—194 Code .....	6
Stat. 1934 Kentucky Alcoholic Act .....	8
Alcoholic Act 1936, Sec. 10 original printing .....	8-9
Sec. 12, Act of 1934 .....	9
Section 12, 1934 Jail penalties .....	9
Section 976, limiting penalties—Crim. Code, sec II .....	9
Sec. 699, Carroll's Code .....	10
Carroll's Code, sec. 71-72 .....	10
14th Amendment, Con. US .....	14
Sec. 20 to 28, Carroll's Code .....	15
Kentucky Code 501 to 510 .....	15

## DECISIONS

A. Albert vs. Bosconi .....	5
Asher vs. Coal Co. ....	15
Adams vs. Yazoo .....	3
Auditor MUST act, 145 156 Sec. 10-22 Original statutes of Ky. and Act of 1934—Green Book .....	13
B. Blair and Carlisle vs. Turnpike Co. Aetna Life—II .....	8
Buffalo Specialty Co. ....	12
Bland vs. Kenamer .....	7
Barry vs. Edmunds .....	4
Brown vs. Kassover .....	4
C. Casey vs. Newport Milling Co. ....	6
Cowherd vs. Hardin .....	6
Craig vs. Bennett .....	3
Case vs. Milling Co. ....	5
City vs. McLaughlin .....	4
Collins vs. Bradley .....	4
Chandler vs. Neff .....	4
Com. vs. Scott .....	8
Com. vs. Wiggins .....	8
Com. vs. Weiss .....	8
Com. vs. Avery .....	10
Com. vs. Long .....	10
Com. vs. Building & Loan .....	10
Com. vs. Avery .....	10
C. & O. vs. Heath .....	10
Clifton vs. Toomb .....	12
Collins vs. Miller .....	13
Chicago vs. Kendall .....	13

## II

D.	DeRees vs. Castagua .....	4
	Duncan vs. Wickliffe .....	5
E.	Ex Parte Century Co. ....	4
	Exparte Simons .....	4
	Ernst vs. Pike .....	5
	Edwards Lum Co. vs. Stone .....	4
	Erie Railroad vs. Thompson, 304 US (Controls) .....	
F.	Finley vs. St. Louis .....	11
G.	Gulf Co. vs. U. S. 3 .....	
H.	Humphries vs. Helgersen .....	2
	Houston vs. Williams .....	3
	Helm vs. James .....	10
	Hughes vs. Hardesty .....	5
I.	Interstate Circuit vs. U. S. 304 U. S. 55 .....	2
	I. C. vs. Com .....	4
	Investors Corp. vs. Luikary .....	5
	Irving vs. Wright .....	12
	I. C. vs. Commission .....	14
	In Re Sanford Coal Co. ....	4
	In Re Briggs .....	7
J.	John Wanamaker vs. U. S. ....	4
L.	L. & N. vs. Grimes .....	10
	L. & N. vs. Baume .....	10
	L. & N. vs. Com. ....	10
	L. & N. vs. Com. ....	10
	L. & N. vs. Com. ....	10
	LaPoint vs. O'Malley .....	8
	Lowell vs. Lowell .....	12
	Lockhart vs. Leeds .....	12
	Louisville Navigation vs. Ovster Com. ....	13
	Louisville Trust Co. vs. Louisville Ry. Co. ....	16
	L. & N. vs. Napier .....	6
	Liberty Oil Co. ....	5
M.	Mattingly vs. Sims .....	6
	Moore vs. Harrod .....	6
	McCord vs. Barker .....	6
	Merriam and Co. vs. Sallfield .....	4
	Metropolitan Water Co. vs. Kaw Valley .....	3
	Mutual Life vs. Hill .....	3
	Murphv vs. O'Reilly .....	8
	Morrell vs. Com. ....	10
N.	Nolle vs. Thompson .....	5
	Norfolk Co. ....	13
	National Bank vs. ....	4
	Natoma Water Co. vs. Parker .....	11
	Newcomb vs. Newcomb .....	17
O.	O'Keffe vs. New Orleans .....	4
	O'Rear case .....	8
	Oswald vs. Morris .....	8
R.	Redmond vs. Underwood .....	5
	Rogers vs. Hill .....	4
	Randolph vs. Lampkin .....	8

### III

S.	Smith vs. Adams .....	4
	Sprague vs. Ticonick Bag Co. ....	4
	Swift vs. Inland Nav. Co. ....	4
	Scott vs. Neely .....	4
	Smith vs. Dunglely .....	5
	Shepherd vs. Moore .....	6
	Sally vs. Brown .....	6
	Sweet vs. Tuttle .....	10
	Seagrams vs. Monas .....	11
	Stromberger vs. Arnson .....	13
	Simpson vs. Atrobus .....	6
U.	Union Pac. Co. vs. Syas. ....	4
W.	Witchita Ry. Co. vs. Public Util. ....	16
	Wells Fargo Co. vs. Taylor .....	3